

Background Screening Terminology and Minimum Background Screening Standards

Understanding the basics of background screening is imperative to protecting your enterprise. Due to Federal and State regulations, a competent background investigation cannot be performed for a marginal sum. Learning the basics will help you evaluate SecurTest, determine if other providers meet these standards, and will help you protect your organization from federal class action and other lawsuits.

FCRA (Fair Credit Reporting Act): A United States federal law (codified at 15 U.S.C. § 1681 et seq.) that regulates the collection, dissemination, and use of consumer information, including consumer credit information and criminal history information. Employers and background screening providers must adhere to the FCRA in regards to the creation and use of background reports.

EEOC Guidelines: Guidelines issued by the EEOC that recommend employers only consider the last seven years in regards to criminal arrests and ten years for convictions. Advises employers to consider the gravity of the offense, the age of the offense, and the position sought, which is part of the exclusive iReviewNow patent.

Adverse Information: Criminal history that could lead to the candidate being ineligible for the position. What constitutes adverse information is determined by the employer, but in general it refers to criminal convictions or records the employer uses to make hiring or retention decisions.

Adverse Action Letters: When criminal convictions are found and a candidate is deemed ineligible, the employer (or its background screening provider if contracted to do so) must send a pre-adverse action letter, copy of the background report, and FCRA rights. A reasonable time after the pre-adverse action notice (generally five days), the employer must send the individual a post adverse action letter when it decides to not hire or retain the subject. SecurTest provides Adverse Action Letters at no additional cost through its patented iReviewNow System.

Consumer: Subject of the background report.

Social Security Number Trace: A Social Security Number Trace allows us to determine if the candidate has provided a real SSN and if the candidate's name matches the data returned by the trace. This search reveals aliases and jurisdictions of residence. Knowing where a candidate has resided allows us to search those areas in a County/State search. SecurTest verifies whether the SSN is valid, whether it matches the name and date of birth data provided by the candidate, and, if so, whether there are any known aliases. SecurTest uses the SSN Trace to determine which states and counties require a County/State search.



County/State Search: A search of the available jurisdictions in which the subject has lived. This search is a direct search of court records and is not a database search. We have direct connections to many jurisdictions or send court researchers to the courts to conduct real-time searches.

National Criminal Search: A search of available databases for criminal convictions. Per the FCRA, any information found in criminal databases is considered archived data and must be verified with the court of conviction. Verification is critical to obtain up-to-date information, as archived data may not have expungements or other court orders that prevent the information from being used in employment decisions. SecurTest verifies all adverse information found in the National Criminal Search with the court of conviction.

National Sex Offender Registry Search: A search of all available Sex Offender Registry Lists. Included in our basic background search, SecurTest verifies all adverse information.

Terrorist Watch List Search: A search of all available Terrorist Watch Lists. Included in our basic background search, SecurTest verifies all adverse information.

Federal Criminal History Search: A person may be convicted on the federal level, but not on the state or county level. This means convictions can be found in federal jurisdictions but nowhere else. SecurTest searches all federal jurisdictions, where as many providers do not cover federal convictions.

iReviewNow: Our patented FCRA and EEO compliance and protection system exclusive to SecurTest. Allows the subject of the report to see the report contemporaneous to when the employer sees it, allows the consumer dispute any inaccuracies, and allows the consumer to provide information about rehabilitation efforts and other FCRA and EEOC protected mandates. The only patented system that ensures full FCRA and EEO compliance.

Alert: The FCRA requires all adverse information to be confirmed by the state or county of conviction. If a background screening provider lists a "National Criminal Search," but does not mention verifying the data through direct court access (often called a state/county level search), they could be in violation of the FCRA.

Objective Measurement of Background Screening Providers

It is imperative that the background screening provider meet FCRA, EEOC, and State laws or mandates. A common misconception is that all providers are alike. The Department of Defense, Department of Homeland Security, and many employers have selected SecurTest with its patented iReviewNow as the *de facto standard*.

Minimum Standard:	SecurTest
Adhere to the FCRA by verifying all adverse information?	Yes
Adhere to the FCRA by allowing the consumer contemporaneous access to their report, immediate ability to dispute, and the option to provide information on rehabilitation efforts?	Yes
Adhere to the EEOC by allowing the consumer contemporaneous access to their report, immediate ability to dispute, and the option to provide information on rehabilitation efforts?	Yes
Have an average 2 Business Day Turnaround Time for Background Reports?	Yes
Have a 1 Business Day Turnaround Time for Reinvestigations?	Yes
Have an internal auditing process for accuracy, turnaround times, and compliance?	Yes
Perform both a National Criminal Search and a County/State Level Search?	Yes
Perform a Federal Criminal History Search?	Yes
Perform a National Sex Offender Registry Search?	Yes
Perform a Terrorist Watch List Search?	Yes



Provide FCRA mandated Adverse Action Letters if a candidate is deemed ineligible at no extra cost?	Yes
Have iReviewNow (the only system that ensures full FCRA and EEOC compliance)?	Yes